

MANSFIELD TOWNSHIP COMMITTEE MEETING

May 26, 2010

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Baldwin made a motion to approve the minutes of the regular meeting held on May 12, 2010, which was seconded by Ms. Nerbak.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

PAYMENT OF BILLS:

Mr. Jewell made a motion to approve the bill list for payment, which was seconded by Mr. Baldwin.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Mr. Coppola had nothing to report.

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

WHEREAS, the Township Committee of the Township of Mansfield is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq. and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Township Committee of the Township of Mansfield to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

- (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled in public session on May 26, 2010 that an Executive Session closed to the public shall be held on May 26, 2010 at 7:45PM in the Mansfield Township Municipal Building, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in the closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Mr. Watters made a motion to go into executive session, which was seconded by Mr. Jewell.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Return from Executive Session at 8:15pm.

Roll Call: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Mr. Vex, Courter, Kobert and Cohen, stated that he was pleased to announce that the township and the police department have come to an understanding and at this point there will be no layoffs within the police department.

ORDINANCE

First Reading

2010-11
CALENDAR YEAR 2010 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Mansfield in the County of Warren finds it advisable and necessary to increase its CY 2010 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0 % increase in the budget for said year, amounting to \$41,241.47 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Mansfield, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2010 budget year, the final appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 144,345.17 and that the CY 2007 municipal budget for the Township of Mansfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ms. Nerbak made a motion to approve the introduction of Ordinance 2010-11, which was seconded by Mr. Baldwin.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

ORDINANCE 2010-12

AN ORDINANCE TO AMEND CHAPTER III A OF THE CODE OF THE TOWNSHIP OF MANSFIELD BY ADDING NEW SECTIONS 3 CLINIC SPORTS REGISTRATION FEES AND SCHOLARSHIPS

WHEREAS, the Township Committee of the Township of Mansfield has determined that there should be, within the Township of Mansfield; recreation registration fees.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that the Code of the Township of Mansfield is hereby amended to include the following provisions regarding recreation registration fees.

Section 1

Chapter IIIA of the Code of the Township of Mansfield is hereby amended to include a new section establishing Clinic Sports Registration Fees:

Chapter IIIA-13. Clinic sports registration fees for participation of children in sports clinics of the Township of Mansfield shall be as follows:

- (a) Summer Field Hockey
 - i. \$40 for all players
- (b) Summer Junior Tennis Program
 - i. Pee Wee (ages 5-7) \$15 per week, per child
 - ii. Beginner (ages 8-10) \$25 per week, per child
 - iii. \$10 Insurance fee (paid one time, per child, per summer)

Section 2

This ordinance shall take effect immediately after passage.

Section 3

Any ordinance that is inconsistent with the foregoing shall be deemed repealed by this ordinance.

Ms. Nerbak made a motion to approve the introduction of Ordinance 2010-12 and requested that the public hearing be advertised for June 9, 2010 at 8pm, which was seconded by Mr. Watters.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

BUDGET INTRODUCTION

Mr. Coppola went through the budget with the township committee.

Ms. Nerbak made a motion to introduce the 2010 Municipal Budget and requested that the public hearing be held on June 23, 2010 at 8pm, which was seconded by Mr. Baldwin.

Ayes: Mr. Jewell, Mr. Baldwin, Ms. Nerbak

Nays: Mr. Watters, Mayor Tomaszewski

Absent: None

Abstain: None

CLERKS REPORT:

Ms. Hrebenak stated that we received the Warren County Public Safety report for 2009 and that it is on file in the clerk's office if anyone would like to review it.

Ms. Hrebenak also stated that a letter was received from the State Department of Transportation asking for us to approve a No passing zone on Route 57 and that the Chief has to call into the DOT for clarification of location.

Chief Ort stated that the person from DOT is going to be calling him tomorrow to go through this with him.

Ms. Hrebenak stated that an application was received for Lonnie Freedman, Mansfield Township Fire Company #1.

Ms. Hrebenak stated that she also has a raffle application for Mansfield Township Fire Company #1 for October 23, 2010 between 7 and 10pm.

Mr. Baldwin made a motion to approve the raffle application, which was seconded by Mr. Watters.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Ms. Hrebenak stated that the bid opening for the Mansfield Twp Park Phase 1A was held and the lowest bid was from Bob Viersma and Sons in the amount of \$250,892.50 and the alternate work bid amount was \$18,670.

Ms. Nerbak made a motion to award the bid to Bob Viersma and Sons in the amount of \$250,892.50 and the alternate if needed in the amount of \$18,670, which was seconded by Mr. Baldwin.

Ayes: Mr. Jewell, Mr. Baldwin, Ms. Nerbak

Nays: Mr. Watters, Mayor Tomaszewski

Absent: None

Abstain: None

ENGINEERS REPORT:

Mr. DiSessa stated that he had given a copy of the Zoning Report for the month of April to the Township Committee members.

Mr. DiSessa stated that he had met with the Environmental Commission in reference to the township forming a green team and the Sustainable Jersey grant and they seemed to be in agreement to participated.

Mr. DiSessa stated that there was an issue with the detention basin behind Fast Moving Company and there was an erosion issue and a maintenance issue and they have agreed to do the maintenance but would like to receive a letter from the township.

Mr. Baldwin asked that Mr. DiSessa send the letter to the Fast Moving Company requesting the maintenance be done by them.

PUBLIC PORTION:

Mr. Glen Todd, Washburn Road, asked if the park is going to be shut down so that we can afford to keep people in their jobs.

Mayor Tomaszewski stated that the bid was awarded for the moving forward with the park.

Mr. Todd stated that the upkeep for this park is not going to be able to be done with the people that the township has.

RESOLUTION:

2010-62

RESOLUTION
Cancellation of Taxes
Block 601.01 Lot 23

WHEREAS, the following property has outstanding property taxes for 2009;

WHEREAS, this outstanding amount occurred due to the State of New Jersey purchasing the property and the exempt classification being omitted in the 2009 tax duplicate;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 26th day of May 2010 that the Tax Collector is hereby authorized to cancel the following taxes:

Block 601.01 Lot 23
State Agricultural Development Commission
Westervelt Road
2009 - \$18,188.87

Ms. Nerbak made a motion to approve the passage of Resolution 2010-62, which was seconded by Mr. Baldwin.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION 2010-63

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, RATIFYING A ONE
YEAR MEMORANDUM OF AGREEMENT WITH TEAMSTERS LOCAL 469

WHEREAS, the Township of Mansfield faces a significant fiscal crisis due to the extended economic downturn and the recent dramatic reduction in state aid; and

WHEREAS, the Township has sought alternatives to layoffs from the Township bargaining units and will be implementing many cost savings measures; and

WHEREAS, the Township negotiating team has reached agreement with Teamsters Local 469, bargaining representative for the Township's DPW workforce, to extend the union agreement through December 31, 2010; and

WHEREAS, said one year agreement includes substantial concessions that will allow the Township retain a DPW worker previously designated for possible layoff;

WHEREAS, the agreement includes the following:

- (a) A 0.0% salary increase for 2010, which follows a 0.0% increase for 2009;
- (b) Acceptance of the mandatory 1.5% of base pay contribution toward medical benefits.
- (c) Increase in doctor office visit co-pay from \$10 to \$20 and emergency room visit co-pay from \$25 to \$100.
- (d) Surrender of paid overtime from the date of ratification of the agreement by both parties through December 31, 2010, to be replaced with compensatory time off.
- (e) Suspension of the clothing and boot allowance through December 31, 2010.
- (f) The planned layoff of one (1) DPW worker shall be rescinded and no layoff of DPW workers shall be implemented through December 31, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, in the County of Warren, State of New Jersey, as follows:

1. The Township Committee has concluded that the attached May 25, 2010 Memorandum of Agreement is in the interests of the Township of Mansfield and hereby ratifies the Memorandum of Agreement for immediate implementation upon ratification by Teamsters Local 469.

2. The Township Committee further authorizes the Mayor, Clerk and Township Labor Council to execute any additional documentation necessary to formalize this agreement.

Mr. Baldwin made a motion to approve the passage of Resolution 2010-63, which was seconded by Ms. Nerbak.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Ms. Nerbak stated that at the Recreation Commission meeting last night and Mr. Cruts handed in a letter of resignation as of 12/31/2010.

Ms. Nerbak stated that the Blue Streaks have a bowling league for kids.

Ms. Nerbak stated that the park committee met and they are coming up with some ideas for the park that would not cost the township any money.

Mr. Baldwin stated that there was a letter received about the Highlands and they are requesting a response back from the township.

Mr. Baldwin stated that he has been working on the shared service court.

Mr. Coppola stated that a new proposal was received from Washington Boro and their attorneys reviewed it and Mr. Vex is reviewing it right now.

Mr. Watters asked what the time frame would be for it to take place.

Mr. Baldwin stated that it would be about 2 months if the Shared Court proposal is approved to get up and running.

Mr. Jewell stated that he attended the Environmental Commission and there was discussion about the green team and recycling. Mr. Jewell stated that the Recycling Coordinator has been working on having a dumpster that all of the recycling can be put in.

Mr. Baldwin asked what the cost would be for the dumpster.

Mrs. Fascenelli stated that there is no cost for the dumpster.

Mr. Jewell asked Mrs. Fascenelli what size the dumpster was and if there will be rails placed underneath the dumpster so that there is no indentation caused on the parking lot.

Mr. Baldwin proposed that the dumpster be placed on the grass area so that there is no wear and tear on the parking lot.

Mr. Baldwin made a motion to move forward with the recycling dumpster at the municipal building, which was seconded by Mr. Watters.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mr. Watters asked if there would be a Resolution on the next agenda for the school properties.

Ms. Hrebenak stated that she would prepare it.

Mr. Kobert stated that he would like to discuss this with Ms. Hrebenak tomorrow.

Mayor Tomaszewski asked if the Chief had anything to report.

Chief Ort asked about whether the police department would be able to purchase the Tahoe is this something that would need to wait until the budget is passed because the 2003 Durango is costing too much money to be fixed and needs to be taken off the road.

Mr. Watters stated that he would need to wait for the budget to be adopted.

Chief Ort also stated that the Traffic Supervisor asked if the township was interested in making some money why didn't we explore the option of an impound lot for the township instead of having all of the money going out to the towing yards. Washington Township makes a decent amount of money from their impound yard.

Mr. Watters suggested that we hook up with Washington Twp.

Mr. Kobert agreed that we should explore the option of a Shared Service with Washington Township in the mean time.

Mr. Baldwin motion to adjourn at 8:47, which was carried by all.